

Village of Barrington
Zoning Board of Appeals
Minutes Summary

Date: February 1, 2005

Time: 7:00 p.m.

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Patricia Pokorski, Chairperson, ZBA
Robert Henehan, ZBA
Ryan Julian, ZBA
Bruce Kramer, ZBA
Daniel Fitzgerald, ZBA
Victoria Perille, ZBA
Peg Moston, ZBA

Staff Members: Jeff O'Brien, Planner/Zoning Coordinator

Call to Order

Ms. Pokorski called the meeting to order at 7:00 p.m.

Roll Call noted the following: Patricia Pokorski, Chair, present; Ryan Julian, present; Bruce Kramer, present; Peg Moston, present; Victoria Perille, present; Daniel Fitzgerald, present; and Robert Henehan, present. There being a quorum established, the meeting proceeded.

Chairperson's Remarks

None

Old Business

None.

New Business

ZBA 04-15, Swarbrick-Ness Residence - 506 Prairie Ave (Variation)

Petitioner: James Swarbrick and Stacey Ness, owners

Ms. Pokorski explained how meetings typically operate and instructed all people from the public who planned on speaking to stand and recite the oath. Upon doing so, the meeting began.

Sarah Petersen, architect for the petitioners, presented the request. The petitioners are requesting variations for the purpose of constructing a second story addition and a front porch on the existing building. The proposed front porch would be attached to the existing three season room, which is already beyond the front yard setback requirement and the front porch would not extend beyond the existing three season room. Ms. Petersen commented that staff supports the second story addition; however, staff has suggested that instead of building the proposed front porch, they convert the three season room back to its original front porch and build the three season room onto the back of the existing house. Ms. Petersen advised that the petitioners would rather not have to rebuild a three season room and would like to open up more space by adding the proposed front porch. Ms. Petersen addressed staff comments regarding the daylight plane variance and advised that the petitioners are not requesting a variance from the daylight plan.

Mr. O'Brien presented the staff report. The petitioners are requesting two variations, Chapter 6, Section 6.7, Subsection F, Number 1 for a second story addition and Chapter 4, Part I, Section 4.2 of the Village of Barrington Zoning Ordinance relative to further encroachment into the front yard setback on the east side of the property for the purpose of constructing a new front porch on the existing residential structure. Mr. O'Brien stated that the proposed second floor addition did not encroach any further than the existing structure and that a hardship was created by the existing structure's location and design. Mr. O'Brien indicated that staff was recommending approval of the front yard setback variation for the second story addition. Mr. O'Brien stated that the existing three season room already encroaches on the front yard setback requirements by six feet-3 inches (6'3") and although the proposed front porch would not further extend beyond the front yard setback requirement, staff did not believe the front yard obstruction variation for the proposed front porch was warranted because the existing front porch structure, currently the three-season room, already existed on the house, but had been enclosed at some point in time. Mr. O'Brien stated that the three-season room could be converted back into an open front porch without a variation and therefore no hardship existed for the new front porch. He stated that staff was recommending denial of the front yard obstruction variation for the front porch. Mr. O'Brien agreed that the petitioners are not requesting a daylight plane variance.

Ms. Pokorski asked for public comment.

Julie Kerr, 510 Prairie Ave.

Ms. Kerr informed the board she and her husband have lived in their current home for 6 years and supports both requests. She believes the improvements would enhance the neighborhood.

Mr. Julian asked where the front entrance is currently located and would the entrance be closed off when the proposed front porch was constructed.

Ms. Petersen responded that the current entrance is located in the three season room and that it would be closed off.

Mr. Julian asked whether the current driveway would be removed.

Ms. Petersen responded that the existing driveway would be removed and landscaped and the residents would park their vehicles in the alley.

Mr. Swarbrick advised that the proposed front porch would provide additional security by relocating the entrance, currently located in the center, to the end of the house.

Ms. Moston commented that although the front porch would further encroach, it would provide symmetry to the home by 'squaring off the house'.

Ms. Pokorski recommended addressing each variation request separately and asked if the board had any additional comments on the request for the second story addition.

Mr. Julian stated he agrees with the second story request.

Ms. Pokorski asked if the board was ready to consider a motion.

Motion by Mr. Julian to recommend approval of the front yard setback for the second story addition. Ms. Moston seconded.

Roll Call Vote:

Mr. Julian - yes

Mr. Kramer - yes

Mr. Fitzgerald - yes

Ms. Moston - yes

Ms. Perille - yes

Mr. Henahan - yes

Ms. Pokorski - yes

Motion carried 7-0.

Ms. Pokorski reviewed staff's comments regarding the front obstruction request.

Mr. Fitzgerald asked for staff comment on Ms. Moston's reference to 'squaring off the house'.

Mr. O'Brien replied that 'squaring off' would be more aesthetic and staff reviews a variation request as to whether another option is available for compliance to the Zoning Ordinance. Staff believes another option is available, by moving the three season room to the rear of the home. Staff is not prohibiting the petitioners' goal for increased space, but is recommending relocating the space.

Ms. Pokorski asked if staff had any concerns about preserving the current three season room.

Mr. O'Brien replied that the petitioner is not prohibited from retaining the three season room; however, staff's objective is to address the petitioners request for the open porch. If the petitioners want a front porch, they do have an option of converting the three season room back to its original front porch and building a three season room in the back of the home.

Ms. Moston remarked that she disagreed with staff's recommendation and felt that moving the three season room would create a hardship.

Ms. Pokorski questioned whether there is a hardship according to the variation standards as the petitioners are not required to move the three season room. They can leave it and not lose living space.

Mr. Fitzgerald asked whether the surrounding homes had similar setbacks.

Ms. Petersen replied that Prairie Ave. is a long street. Approximately 3 houses immediately south of the petitioner's meet the front setback requirements; however, homes further north were similar and in some cases had closer setbacks than the petitioners.

Mr. Julian remarked that with the removal of the driveway, he favored the new location of the entrance.

Ms. Pokorski recommended that the board evaluate the front yard obstruction request by addressing each variation standard.

After board discussions, Ms. Pokorski asked them if they were ready to consider a motion.

Motion by Mr. Julian to recommend approval of the front yard obstruction variance for the addition of a front porch. Mr. Henahan seconded.

Roll Call Vote:

Mr. Julian - yes

Mr. Kramer - yes

Mr. Fitzgerald - yes

Ms. Moston - yes

Ms. Perille - yes

Mr. Henahan - yes

Ms. Pokorski - yes

Motion carried 7-0.

Mr. O'Brien informed the petitioner that the case will be heard at the February 14, 2005 board meeting.

ZBA 05-01: Velikanova Residence – 759 Division Street (Variation)

Petitioner: Elena Velikanova, owner

Mr. Paul Batashev, general contractor for petitioner, presented the petitioner's request. The petitioner is proposing to build a fifteen (15) ft. by thirty six (36) ft. addition to the back of the house as well as constructing a second floor over the existing home and addition.

Mr. O'Brien presented the staff report. The petitioner is seeking variations from Chapter 6, Section 6.7, Subsection F, Number 3 and Chapter 6, Section 6.1, Subsection D of the Village of Barrington Zoning Ordinance relative to continuing an encroachment of one foot-six inches (1'6") into the required interior side yard setback and an encroachment into the required Daylight Plane on the north side of the property for the purpose of constructing a second story addition to the existing residential structure. Mr. O'Brien stated that the proposed second floor addition and its footprint did not encroach any further than the existing structure and that a hardship was created by the existing structure of the property. Mr. O'Brien indicated that staff is recommending approval of the staff yard setback variation for the second story addition. Regarding the request for the daylight plan variation, staff believes the daylight plane variation is not warranted or appropriate because of the smaller setback. Mr. O'Brien stated that the Board of Trustees had directed staff to discourage petitioners from applying for daylight plane and/or height variations in conjunction with setback variations for second floor additions in consideration to surrounding neighbors. He stated that staff is recommending denial of the daylight plane variation.

Ms. Pokorski asked for public comment. There was none.

Mr. Pokorski recommended that the board address each variance request separately.

The board then discussed the side yard request and evaluated the request against the variation standards.

Ms. Pokorski asked if the board was ready to consider a motion.

Motion by Mr. Henahan to recommend approval of the side yard setback for the second story addition. Mr. Kramer seconded.

Roll Call Vote:

Mr. Julian - yes

Mr. Kramer - yes

Mr. Fitzgerald - yes

Ms. Moston - yes

Ms. Perille - yes

Mr. Henahan - yes

Ms. Pokorski - yes

Motion carried 7-0.

Mr. Henahan asked for clarification on staff's measurements of the thirty four feet-nine inches (34'9") encroachment into the daylight plane. He believes the dimensions should be thirty one feet-nine inches (31'9").

Mr. O'Brien replied that this may be the case and the plans submitted have conflicting variations.

Ms. Moston asked the petitioner if they had any additional comments for their daylight variation request.

Mr. Batashev replied that the petitioner's home is lower in elevation than the home to the north, the home which is being encroached upon.

Ms. Perille asked the petitioner which area to the north the proposal encroached upon.

Mr. Batashev replied that the daylight plane encroached upon the neighbor's driveway.

Board discussed encroachment issues and staff's recommendations.

Mr. Julian noted his concerns with residents encroaching on neighbor's daylight plane.

Mr. Fitzgerald asked if there had been discussions between staff and the petitioner on revising the roof.

Mr. O'Brien replied that there were discussions between staff and the petitioner, although staff did not provide alternate options.

The board began to discuss the daylight plane request and evaluated the request against the variation standards.

Ms. Pokorski was advised a resident wished to speak and swore him in.

Mr. James Slusser, 755 Division Street

Mr. Slusser advised that his home is located north of the petitioners. He is concerned with the daylight variation request and how it would affect his property.

Mr. Batashev responded that if there were objections from neighbors, the architect could revise the plans to comply with the daylight requirements.

The board finished their evaluation of the daylight plane request against the variation standards.

Ms. Pokorski asked if there were additional comments. There were none.

Ms. Pokorski asked the board if they were ready to consider a motion.

Motion by Mr. Henahan to deny the daylight plane variation request. Ms. Moston seconded.

Roll Call Vote:

Mr. Julian - yes

Mr. Kramer - yes

Mr. Fitzgerald - yes

Ms. Moston - yes

Ms. Perille - yes

Mr. Henahan - yes

Ms. Pokorski - yes

Motion carried 7-0.

Mr. O'Brien commented that revised setback plans will need to be submitted before the February 14, 2005 Board of Trustees meeting and that the Architectural Review Commission would have a final hearing on the project after the Board of Trustees considers the petition.

Minutes

Motion by Mr. Julian to approved the September 7, 2004 minutes with corrections. Ms. Moston seconded.

Roll Call Vote:

Mr. Julian - yes

Mr. Kramer - yes

Mr. Fitzgerald - yes

Ms. Moston - yes

Ms. Perille - yes

Mr. Henahan - yes

Ms. Pokorski - yes

Motion carried 7-0.

Motion by Mr. Julian to approved the January 4, 2005 minutes with corrections. Mr. Fitzgerald seconded.

Roll Call Vote:

Mr. Julian - yes
Mr. Kramer - yes
Mr. Fitzgerald - yes
Ms. Moston – yes
Ms. Perille – yes
Mr. Henahan - yes
Ms. Pokorski - yes
Motion carried 7-0.

Planner's Report

Board and Staff discussed tentative March, 2005 cases.

Adjournment

Motion by Mr. Julian to adjourn. Mr. Henahan seconded.
Voice vote recorded all yes. Motion carried.

Meeting adjourned at approximately 8:50 p.m.

Respectfully submitted,
Paula Emerson
Recording Secretary

Patricia Pokorski, Chairperson
Zoning Board of Appeals